

STATEMENT OF

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VICE PRESIDENT,
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ON

S.1941, THE F.I.R.E. ACT

BEFORE THE

THE UNITED STATES SENATE COMMITTEE ON
COMMERCE, SCIENCE AND TRANSPORTATION

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INTRODUCTION

Mr. Chairman. My name is Billy Shields. I am a Captain in the Phoenix, Arizona Fire Department and the Vice President of the Professional Fire Fighters of Arizona, an affiliate of the International Association of Fire Fighters. I greatly appreciate this opportunity to appear before you today on behalf of the IAFF's 230,000 professional fire fighters and emergency medical personnel to discuss the need for funding to protect fire fighter health and safety.

Mr. Chairman, each year our nation's fire fighters respond to millions of calls for help from our fellow Americans. These calls range from fires to hazardous materials incidents to search and rescue operations to emergency medical care. Every day we put our lives on the line to protect the safety and property of our fellow citizens. In the last year, more than 100 of our brothers and sisters have made the ultimate sacrifice. The job of fire fighting is the most dangerous in the world, and we accept that. But we can not accept that our safety is being recklessly and needlessly endangered because too many fire departments are unable to provide the most basic training, equipment and staffing.

Like most of my brother and sister fire fighters, I have attended too many funerals. The knowledge that many of these deaths were preventable angers me just as it ought to anger all Americans. In every one of its investigations into

fire fighter fatalities, the National Institute for Occupational Safety and Health (NIOSH) found correctable problems. Proper training and equipment, adequate staffing, and other programs save fire fighters' lives. Unfortunately, too many jurisdictions are unable to provide these basic protections.

THE NEED

Arizona

America's fire service is in crisis due to extreme funding shortfalls, and Arizona is no exception. Of the 51 full-time professional fire departments, all but 6 appear to be deficient in an essential area, such as minimum safe staffing levels, apparatus and equipment maintenance, and training provided to new hires.

More than half of our departments either always or frequently do not have sufficient personnel to mount a safe interior fire attack. This puts us in the position of either having to await the arrival of additional personnel or endanger the lives of the fire fighters at the scene by commencing the attack without adequate back up support.

Nearly 75% of our departments do not provide new hires with the basic level of training identified by the National Fire Protection Association (NFPA) as necessary to perform the job of a fire fighter safely and effectively. These

jurisdictions lack funds for instructors, training equipment and training facilities.

Throughout the state, fire fighters essentially receive on-the-job training, a situation which endangers not only the lives of the new hires but their fellow fire fighters and the public.

Nogales

Nogales is a border community of approximately 30,000, but the demands on the fire department far outstrip many comparable sized jurisdictions. An extremely busy port of entry, the daytime population swells to an estimated 75,000-100,000 people. In addition, the fire department has a mutual aid agreement with the neighboring city of Nogales, Mexico which has a population of least half a million people.

The Nogales fire department has two Ladder companies, one of which is currently not in use due to lack of funding. The apparatus that is in use is over 20 years old, and in need of maintenance. The department staffs 3 Engine companies, all of which run one person short every shift. The department shares one mechanic and one shop to maintain its aging apparatus with several other city departments.

Nogales is a hub for hazardous materials transport, both by rail and by truck, with millions of tons of dangerous cargo passing through the community each

year—much of it crossing an international border. For example, the fire department is required to escort 40,000 pound truckloads of Ammonium Nitrate through the city to the border on a weekly basis.

And yet, the fire department has been able to afford the training of only five hazmat technicians. There is no dedicated hazmat unit, and the equipment is either substandard or non-existent. Hazmat equipment is carried on a horse trailer pulled by an aging brush truck.

In order to meet even bare minimum safety requirements, the fire chief of Nogales estimates the need for a minimum of 45 additional fire fighters, with at least a dozen cross-trained as hazmat technicians. Hazmat emergency response equipment, additional maintenance personnel, and various pieces of apparatus are also urgent necessities.

Flagstaff

Flagstaff is a high desert community of 60,000 that sits at the junction of two interstate highways, I-40 and I-17. The fire department is responsible not only for the safety of the citizens of the community, but also the millions of travelers and commercial vehicles passing through on their way to the Grand Canyon, historic Route 66, and Mexico. In addition, the community has dealt with devastating

forest fires and faced difficult rescue missions when blizzards hit the 11,000 foot peaks.

Every Engine and Ladder company in Flagstaff is currently running one person short every shift. At least 24 fire fighters are needed to meet minimum safe staffing levels. The community can not afford to provide new hires with basic fire fighter training.

Bisbee

A once thriving mining community and now a popular tourist destination, Bisbee is a historical and cultural treasure. The aging town's charm, however, provides special challenges to its fire department. The old buildings are especially fire prone, and packed closely together on narrow, winding streets. The city's water supply system is more than a century old.

The Bisbee fire department has no Ladder truck, and does not have enough personnel for two Engine companies. Most fire fighters are wearing personal protective equipment that is 9-10 years old, and little money is available for training. The city has no hazmat technicians or equipment, and can not afford to perform necessary maintenance on its aging apparatus.

El Mirage

The economically challenged city of El Mirage is struggling to provide the most basic fire protection. The fire department often runs Engines with only two fire fighters, and has been unable to replace defective turnout gear for its fire fighters. Some fire fighters, fearing for their own safety, have paid for a turnout ensemble out of their own pocket at a cost of over \$1000.

The United States

Mr. Chairman, I wish I could tell you that Arizona was unique in this dire need for funding for fire departments. The shocking truth is, we are sadly representative of the nation.

Early this year the IAFF, which represents more than 90% of all the professional fire departments in the nation, conducted a survey of its State Associations. Twenty-two states participated in the survey, representing 1364 fire departments (54% of all IAFF Locals).

Among the survey's findings:

- 77% of fire departments operate with staffing levels below what is needed for safe fireground operations.
- 43% of fire departments are in need of additional turnout gear (i.e. coats, gloves, helmets and boots).
- 50% of fire departments are in need of additional respirators.

- 70% of fire departments do not have adequate maintenance programs for their protective gear.
- 66% of fire departments are in need of better communications equipment.
- 66% of fire departments are in need of additional training.
- 59% of fire departments have poorly ventilated fire stations which expose fire fighters to dangerous diesel fumes on a daily basis.

THE FEDERAL GOVERNMENT'S ROLE

I am aware of the argument that the problems I've been describing are local problems and should be addressed at the state and local level. Congress is rightfully reluctant to fund a service without assurance that states and localities are doing what they can.

But please understand, Mr. Chairman, we are not asking for the federal government to become the major—or even *a* major—funder of America's fire service. Local and state governments should continue to be the primary providers of fire service funding. But the federal government, too, has a role to play and a responsibility to shoulder its fair share of the financial burden of protecting Americans.

Every day fire departments across the nation engage in emergency response activities that are national in scope. When a terrorist kills hundreds of federal

employees in Oklahoma City, or when wildland fires devastate communities in New Mexico, these are national issues. When a trailer carrying hazardous materials overturns on an interstate highway, or when border inspectors discover leaking chemicals in a rail car coming from Mexico, these are national issues. When a fire threatens a native American reservation or hikers are injured in the Rocky Mountains, these are national issues.

Moreover, the argument that local government functions should be funded exclusively at the state and local level flies in the face of reality. The federal government spends billions of dollars every year to support such local government functions as law enforcement, education and roads. States and local governments remain the primary funders of these activities, but the federal government has long acknowledged that it, too, has an obligation to shoulder some of the responsibility.

Providing federal funding for a wide variety of local government services, while denying any support for the fire service based on the argument that it is a local responsibility is tantamount to discriminating against me because I am a fire fighter. Teachers and cops are not told "go talk to your Governor," so why should I be?

Finally, it is important to stress that we would not be asking the federal government for assistance if we did not believe that states and localities were already doing their share. Of course, I want them to do more, but it would be misleading for anyone to suggest that states and localities are apathetic to the needs of the fire service.

In Arizona, the state distributes a certain percentage of all tax receipts to localities to pay for various local services including fire protection. Realizing this was not sufficient, many communities—including Phoenix, Nogales, Tempe and Glendale—have approved the assessment of a special tax on themselves to fund public safety services. On some of the Native American reservations, a portion of the proceeds from legalized gaming has been devoted to public safety.

But this is still not enough. It is especially difficult for those of us in states such as Arizona to raise additional revenue. As you are well aware, Mr. Chairman, our state has a strong individualist tradition, that is skeptical of all forms of government. We are currently facing a ballot referendum to abolish the state income tax—which accounts for 50% of all state revenue. This will have a devastating impact on fire protection.

No, Mr. Chairman, it is not enough to say that fire protection is a state and local responsibility. The federal government has a role too, and it is past time to shoulder its share of responsibility.

CONCLUSION

Allow me to end, Mr. Chairman, by going back to what this issue is really all about: the health and safety of America's true heroes, our domestic defenders, our fire fighters. All this talk about state roles and federal roles, and this agency's jurisdiction and that agency's responsibilities, obscures what this bill is all about.

Fire fighters are dying, Mr. Chairman, because the government can not find the money to protect them. That alone should be sufficient reason to enact S.1941 without delay.

I thank you for your attention to our views, and I will be happy to answer any questions you may have.